

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DR. LISA BUON,

Plaintiff,

19-CV-6760 (NSR)

- against -

AFFIDAVIT

THE NEWBURGH ENLARGED CITY SCHOOL
DISTRICT, ROBERT PADILLA, and LISA M.
SPINDLER,

Defendants.

-----X

STATE OF NEW YORK)

) ss:

COUNTY OF ORANGE)

DR. ROBERTO PADILLA, swears to the truth of the following under the penalties of perjury:

1. I am the Superintendent of the Newburgh Enlarged City School District.
2. This Affidavit is based on my personal knowledge of the facts and circumstances involved and a review of the applicable records.
3. On or about August 5, 2019, I was handed an envelope from the school at which Dr. Buon is the Principal, Balmville Elementary School, by a man unknown to me.
4. The envelope contained one copy of a Summons and a handwritten list of individuals with the address of the District office underneath their names.
5. The envelope did not contain a Complaint.
6. The envelope and its contents were forwarded via Inter-office Mail to the District Clerk, Matthew McCoy.

7. I never represented to the man handing me the Balmville envelope that I had authority to accept service on behalf of Dr. Spindler. I never advised Dr. Buon that I had authority to accept service on behalf of Dr. Spindler.

8. I was never served with a Complaint or Amended Complaint in this matter.

9. The District Clerk was never served with a Complaint or Amended Complaint in this matter. Nor was anyone else in the District.



DR. ROBERTO PADILLA

Sworn to before me on this

22nd day of June, 2020



NOTARY PUBLIC

LEWIS R. SILVERMAN
Notary Public, State of New York
No. 02815049718
Qualified in Westchester County
Commission Expires Sept. 18, 2021